

CLASSIFICATION OFFICE DECISION

Title of publication: twins34.jpg

Other known title(s): Not stated

OFLC ref: 0900815.000

Medium: Computer Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Objectionable.
------------------------	----------------

Descriptive note: None

Display conditions: None

Date of entry in Register: 05 October 2009

Date of direction to issue a label: No direction to issue a label has been issued

Summary of reasons for decision:

The computer image file exploits the nudity of young persons to a high degree. The file presents a posed image of two naked young girls for viewers' close inspection. Because of the camera's sole focus on the girls' nakedness and physical immaturity, the image is reasonably capable of being regarded as sexual in nature. Although the purpose of this image is unclear, its likely source as an internet image increases the probability that the nudity of these young girls has been exploited with sexual intent. No alternative context that would allow a non-sexual reading is apparent.

The classification interferes with the freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990. However, the decision is reasonable, justified and in accordance with the law. It is consistent with Parliament's intention in the Films, Videos, and Publications Classification Act 1993 that publications which exploit the nudity of children or young persons in a manner that renders their availability injurious to the public good will be banned.